

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF ILLINOIS
 EASTERN DIVISION

| | | |
|--|---|-------------------|
| BARBARA F. STRICKLAND, YOLANDA |) | |
| LEE, on behalf of plaintiffs and the class |) | |
| described herein, |) | |
| |) | Case No.: 08 C 34 |
| Plaintiff, |) | |
| |) | Judge: Lindberg |
| v. |) | |
| TSYS TOTAL DEBT MANAGEMENT INC. |) | |
| d/b/a NATIONAL ATTORNEY NETWORK, |) | |
| |) | |
| Defendant. |) | |

**JOINT MOTION TO VACATE BRIEFING SCHEDULE ON MOTION TO COMPEL
 ARBITRATION AND TO SET A SCHEDULING CONFERENCE**

Defendant TSYS Total Debt Management Inc. ("TSYS") by and through its attorneys and Plaintiffs Barbara F. Strickland and Yolanda Lee by and through their attorneys and for their Joint Motion to Vacate the Briefing Schedule on Defendant's Motion to Compel Arbitration and to Set a Scheduling Conference state as follows:

1. On March 26 the parties appeared before the court for a status hearing.
2. Counsel for TSYS advised the court that it was planning to file a Motion to Compel Arbitration as to plaintiffs' Capital One credit card accounts. This court set a briefing schedule on the motion requiring TSYS to file its brief by April 18, plaintiffs to file their response by May 30, 2008, defendant to file its response by June 13, 2008 and setting a ruling date on the motion for June 25, 2008 at 9:30 a.m.
3. TSYS has learned from Capital One that plaintiff Lee opted out of arbitration. As a result, it will not be moving to compel arbitration.
4. Accordingly the parties jointly request that this court vacate the briefing schedule and ruling date set on for the motion to compel arbitration and set a scheduling conference.

WHEREFORE Defendant TSYs Total Debt Management Inc. and Plaintiffs Barbara F. Strickland and Yolanda Lee respectfully request that this court vacate the briefing schedule on the motion to compel arbitration and set this matter for a scheduling conference.

Respectfully submitted,

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